



5074 08/22/06

\$1,625.00 ✓

OFFICE OF
INSURANCE COMMISSIONER

In the Matter of)

No. D06-166

FIRST HEALTH)
LIFE AND HEALTH)
INSURANCE COMPANY)

REVISED
CONSENT ORDER
IMPOSING A FINE

Findings of Fact:

1. First Health Life and Health Insurance Company ("First Health Life") is authorized to conduct insurance business in Washington State. It issues life and disability insurance.
2. Revised Code of Washington § 48.05.250 requires every insurer to file an annual statement for the previous calendar year with the Office of the Insurance Commissioner ("OIC") by February 28 of the following year.
3. The April Supplemental filing is a required annual statement supplement per the *National Association of Insurance Commissioners' Quarterly and Annual Statement Filing Instructions*. The Washington Office of the Insurance Commissioner ("OIC") also posts Annual Statement Filing Instructions on its website that indicate that this filing is due by April 1 of the following calendar year. AC 284-07-050 requires adherence to these filing instructions.
4. First Health Life filed its calendar year 2004 Annual Statement and April supplemental filing on August 30, 2005.

Conclusions of Law:

1. First Health Life's failure to timely file its calendar year 2004 Annual Statement and 2004 April Supplemental filing constitutes two violations of RCW 48.05.250.
2. RCW 48.05.185 authorizes the Commissioner to impose a fine in lieu of or in addition to the suspension or revocation of an insurer's certificate of authority.

Consent to Order:

First Health Life consents to the following, in order to resolve this matter without further legal or administrative proceedings. The Insurance Commissioner consents to resolve this matter in consideration of the insurer's payment of a fine as set forth below.

1. First Health Life consents to the entry of the foregoing Findings of Fact and Conclusions of Law, and acknowledges its duty to comply fully with all applicable laws and regulations of

the State of Washington. It waives further administrative or legal challenge to the actions taken, or to be taken, by the Insurance Commissioner, related to the subject matter of this Order.

2. Within thirty days of the entry of this Order, First Health Life will pay to the Insurance Commissioner a fine in the amount of \$1,625 (one thousand six hundred twenty five dollars).

3. Failure to pay the fine in full within thirty days of the entry of this order will constitute grounds for revocation of the certificate of authority held by First Health Life in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 15th day of August, 2006.

FIRST HEALTH LIFE AND HEALTH INSURANCE COMPANY

By: 

Printed Name: KRISTIN COMER BELYEW, ESQ

Printed Corporate Title: CORPORATE COUNSEL

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner orders as follows:

Order:

1. First Health Life and Health Insurance Company is ordered to pay, within thirty days of the entry of this order, a fine in the amount of \$1,625 (one thousand six hundred twenty five dollars).

2. Failure to pay the fine timely and in full will constitute grounds for revocation of the certificate of authority held by the insurer in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 29th day of August, 2006

MIKE KREIDLER
Insurance Commissioner

By: 

Marcia G. Stickler
Legal Affairs Division